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6 Attorneys for Defendant City of San Diego
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8 **UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF CALIFORNIA**
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10 TRACY MEANS,

11 Plaintiff,

12 v.

13 CITY OF SAN DIEGO, a municipal corporation
and a Political Subdivision of the State of
California, and DOES 1-30, inclusive,
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15 Defendants.
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Case No. 08cv0580 WQH (POR)

STIPULATION TO CONTINUE
MOTIONS TO DISMISS, *ET AL.* AND
ORDER THEREON

Current date:

Date: May 12, 2008

Time: 11:00 a.m.

Dept.: Courtroom 4

New date:

Date: June 9, 2008

Time: 11:00 a.m.

Dept.: Courtroom 4

Judge: Hon. William Q. Hayes

Magistrate: Hon. Louisa Porter

Complaint filed: December 7, 2007

21 It is hereby stipulated between counsel for Plaintiff, Tracy Means and Defendant City
22 of San Diego that the hearing on Defendant's Motions under FRCP Rules 12(b)(6); 12(e) and
23 12(f): 1) to Dismiss; 2) for a more definite statement; and, 3) to strike, currently scheduled for
24 hearing in Courtroom 4 on May 12, 2008 at 11:00 a.m. may be continued to June 9, 2008 at
25 11:00 a.m. The parties hereby request an order thereon.

26 A continuance is necessary because electronic service on Plaintiff's counsel was not
27 effected and not discovered until May 1, 2008. The earliest date available from the Court
28 which allows for statutory notice is the date agreed upon and cleared with the Court.

1 The undersigned, having read this stipulation consent to an order of the Court
2 continuing the hearing date to June 9, 2008 at 11:00 a.m. in Courtroom 4.

3 Dated: May 2, 2008

MICHAEL J. AGUIRRE, City Attorney

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6 By /s/ Joe Cordileone
7 Joe Cordileone, Sr. Dep. City Attorney
Attorneys for Defendant City of San Diego

8 Dated: May 2, 2008

ROSENSTEIN, WILSON & DEAN, P.L.C.

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11 By Paula S. Rosenstein, Esq.
12 Attorneys for Plaintiff, Tracy Means
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1 The undersigned, having read this stipulation consent to an order of the Court
2 continuing the hearing date to June 9, 2008 at 11:00 a.m. in Courtroom 4.

3 Dated: May 2, 2008

MICHAEL J. AGUIRRE, City Attorney

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Joe Cordileone, Sr. Dep. City Attorney
Attorneys for Defendant City of San Diego

8 Dated: May 6, 2008

ROSENSTEIN, WILSON & DEAN, P.L.C.

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12 y

Paula S. Rosenstein, Esq.
Attorneys for Plaintiff, Tracy Means